District Star

TUESDAY, JUNE 19, 1979 COMICS OBITUARIE

Rauh Named Interim U.S. Attorney

By Allan Frank
Washington Star Staff Writer

Carl S. Rauh has been named interim U.S. attorney for the District by the active judges of the U.S. District Court voting here yesterday in executive session.

Rauh, principal assistant U.S. attorney, will replace Earl J. Silbert, who has announced he will leave office June 29.

When a U.S. attorney who has been appointed by the president and confirmed by the Senate leaves office, it is customary for the judges of a federal district court to appoint an interim U.S. attorney to make certain there is no vacancy until the president's new nominee has been confirmed.

Only if President Carter appoints someone else as U.S. attorney to replace Silbert and that person is confirmed immediately — which is considered unlikely — would Rauh not take office.

Rauh is not expected to be Carter's nominee. Ther president is expected to appoint a black lawyer to the four-year term as U.S. attorney.

Rauh could not be reached for comment on his selection, which has not been announced. He is not expected to make any major changes in the U.S. attorney's office, which with 161 attorneys is the largest in the country.

The election by the judges of Rauh ends a behind-the-scenes battle for the appointment being waged between Rauh and William H. Collins Jr., the chief of the trial section in the U.S. Attorney's Office here.

Collins had been backed by former U.S. Attorney Harold Titus; the man who preceded Silbert, while Silbert backed Rauh.

Rauh, Silbert and several other prosecutors recently upset some judges by publicly criticizing U.S. District Judge Oliver H. Gasch for failing to sentence to jail several contractors who pleaded guilty to defrauding the General Services Administration of more than $1 million.

The salvos continued quietly with U.S. District Judge June L. Green producing a memorandum opinion in connection with the trial last week of five radicals accused of defacing the Chinese Embassy.

Green accepted pleas to minor charges from four of the five after it was revealed that the Secret Service had destroyed some notes and a tape relating to the Jan. 24 attack on the embassy and after the prosecutor noted that he forgot to include one of the defendants in the count to which the others pleaded.

Without naming Collins, who was the prosecutor, Green criticized the government for "repeated and inexcusable delays." The judge said, "The court notes with dismay that it was forced to interrupt this proceeding repeatedly to enable the government to assemble more witnesses. . . . In fact, the court had to recess earlier than usual Monday afternoon to accommodate the government."

See RAUH, DC-4

Rauh

From DC-1

Green also noted critically that Silbert, not Collins, had insisted that the trial continue, rather than accept pleas from the defendants after the Secret Service destruction of evidence had been revealed.

Rauh, 38, first served in the U.S. Attorney's Office from 1965 to 1969, then transferred to the Justice Department to work on criminal justice legislation, including the court reorganization act of 1970.

From January 1972 through December 1973, Rauh served as first assistant attorney general and special assistant U.S. attorney in the U.S. Virgin Islands.

After a long vacation, Rauh was asked by Silbert to return to Washington to be the principal assistant U.S. attorney.

He was one of the prosecutors who successfully prosecuted five defendants of murder in a case known as the Fountain Valley case, in which eight persons were killed in a gunfire attack on a golf course on St. Croix.

Rauh is a 1962 graduate of Columbia University and a 1965 graduate of the University of Pennsylvania Law School. He also earned a master of laws degree from Georgetown University Law Center in 1968.

His brother, Michael, is a lawyer in private practice here and their father, Joseph L. Rauh, is a lawyer.